

SEVENTY-SECOND LEGISLATIVE DAY

The House met at 9:00 a.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Representative Dub Nance of Shelby County.

Representative Nance led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present . . . . . 74

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), DePriest, Dills, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Kelley, King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Ussery, Wallace, Webb, Whitson, Williams, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--74.

The Speaker announced that Representative Hassell was excused because of illness in the family.

The Speaker announced that Representative Johnson was excused because of a death in the family.

The Speaker announced that Representative Stafford was excused because of illness.

Mr. Tanner Moved that the rules be suspended for the immediate consideration of House Bill No. 2283, which motion prevailed.

Mr. Tanner moved that the rules be suspended in order that House Bill No. 2283 could be held on the desk, which motion prevailed.

**HOUSE BILL ON SECOND CONSIDERATION**

House Bill No. 2283--To make certain provision, Kenton Special School District.

Passed second consideration and held without reference.

**CALENDAR**

Mr. Copeland moved that House Bill No. 1445 be placed on the Calendar for Tuesday, May 15, 1984, which motion prevailed.

Mr. Owen moved that Senate Bill No. 1465 be placed on the Calendar for Monday, May 14, 1984, which motion prevailed.

Mr. Johnson moved that House Bill No. 769 be placed on the Calendar for Thursday, May 10, 1984 which motion prevailed.

Mr. Murray moved that House Bill No. 1977 be placed on the Calendar for Tuesday, May 15, 1984, which motion prevailed.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 2018--To make certain provisions, alcoholic beverages.

Mr. Murphy moved that House Bill No. 2018 be passed on third and final consideration.

Mr. Davis (Pickett) moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 2018 by adding a new section which reads:

"SECTION \_\_\_\_\_. Notwithstanding any laws to the contrary, members of the United States armed forces on active duty shall not be subject to the legal age or age of majority provisions with respect to the purchase, consumption or possession of alcoholic beverages, wine or beer contained in any provisions of the Tennessee Code Annotated."

Mr. Smith moved that the Amendment No. 1 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	47
Noes . . . . .	35
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Depriest, Disspayne, Drew, Ellis, Ford, Frenslley, Gafford, Gaia, Gill, Henry, Hillis, Huskey, Jared, Kelley, Kent, Love, McAfee, McKinney, McNally, Nance, Pickering, Pruitt, Robinson (Davidson), Robinson (Hamilton), Robisnon (Washington), Scruggs, Severance, Shirley, Smith, Turner (Hamilton), Turner (Shelby), Wallace, Wheeler, Williams, Wolfe and Wood--47.

Representatives voting no were: Bell, Bewley, Bivens, Bragg, Covington, Davis (Pickett), DeBerry, Dixon, Duer, Elsea, Harrill, Hudson, Hurley, Jones, Kernell, King (Shelby), King (Washington), Kisber, Miller, Montgomery, Moody, Murphy, Murray, Naifeh, Napier, Owen, Phillips, Sir, Stallings, Tanner, Ussery, Webb, Whitson, Wix and Yelton--35.

Representatives present and not voting were: Moore (Shelby) and Moore (Sullivan)--2.

Mr. King (Washington) moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 2018 by deleting Section 4 in its entirety and substituting instead the following:

SECTION 4. Tennessee Code Annotated, Section 57-5-301(e) is amended by deleting the word and figure "nineteen (19)" and the word and figure "eighteen (18)" and substituting instead the words and figure "twenty-one (21)".

FURTHER AMEND by adding the following new sections immediately preceding the effective date section and by renumbering the effective dates section accordingly:

SECTION \_\_\_\_ . Tennessee Code Annotated, Section 57-5-301(e) is amended by adding the following to the end of such subsection:

Any person under the age of twenty-one (21) years found to have violated the provisions of this subsection shall have the right to have the records of such violation destroyed in accordance with the provisions of Tennessee Code Annotated, Title 40, Chapter 32, after the passage of six (6) months from the date of the violation. No violation of the provisions of this subsection may at any time be used against the violator in any criminal proceeding.

SECITON \_\_\_\_\_. Tennessee Code Annotated, Section 57-3-412(a)(3), is amended by adding the following to the end of such paragraph:

Any person under the age of twenty-one (21) years found to have violated the provisions of this paragraph shall have the right to have the records of such violation destroyed in accordance with the provisions of Tennessee Code Annotated, Title 40, Chapter 32 after the passage of six (6) months from the date of the violation. No violation of the provisions of this paragraph may at any time be used against the violator in any criminal proceeding.

SECITON \_\_\_\_\_. Tennessee Code Annotated, Section 47-3-412(a)(3) is amended by deleting from the third sentence the word and figure "eighteen (18)" and substituting instead the words and figure "Twenty-one (21)".

Amendment No. 2 was adopted by the following vote:

Ayes . . . . .	67
Noes . . . . .	16
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Sumner), Cobb, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hillis, Hudson, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Pickering, Pruitt, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Shirley, Sir, Stallings, Tanner, Turner (Shelby), Wallace, Webb, Wheeler, Whitson, Wix and Yelton--67.

Representatives voting no were: Atchley, Clark (Davidson), Covington, Drew, Henry, Hurley, Huskey, McAfee, McNally, Phillips, Robinson (Davidson), Severance, Turner (Hamilton), Williams, Wolfe and Wood--16.

Representative present and not voting was: Ussery--1.

Mr. Kisber moved to amend as follows:

### AMENDMENT NO. 3

Amend House Bill No. 2018 by adding the following new section immediately preceding the final section and by renumbering such final section accordingly:

SECTION \_\_\_\_\_. The provisions of this act shall not apply to any person using, possessing, or consuming an alcoholic beverage in connection with a religious service or ceremony. As used in

this section unless the context requires otherwise, "religious service or ceremony" shall include but not be limited to a communion service, a bar mitzvah or a bah mitzvah.

Amendment No. 3 was adopted by the following vote:

Ayes . . . . .	64
Noes . . . . .	15
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Bewley, Bivens, Bragg, Brewer, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frenslley, Gafford, Gaia, Gill, Hillis, Hudson, Hurley, Jared, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pruitt, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Sir, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix and Yelton--64.

Representatives voting no were: Atchley, Bell, Byrd, Crain, Harrill, Henry, McAfee, McNally Robinson (Davidson), Shirley, Stallings, Turner (Hamilton), Turner (Shelby), Wolfe and Wood--15.

Representative present and not voting was: Covington--1.

Mr. Napier moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 2018 by adding a new section which reads:

"SECTION \_\_\_\_\_. Notwithstanding any laws to the contrary, this Act shall not apply to any person who was born prior to July 1, 1965."

Amendment No. 4 was adopted by the following vote:

Ayes . . . . .	68
Noes . . . . .	16
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Frenslley, Gafford, Gaia, Gill, Hillis, Hudson, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McKinney, Miller, Montgomery, Moody, Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Sir, Smith, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams and Yelton--68.

Representatives voting no were: Atchley, Byrd, Ford, Harrill, Henry, Hurley, McAfee, McNally, Moore (Shelby), Nance, Percy, Robinson (Hamilton), Shirley, Turner (Hamilton), Wolfe and Wood--16.

Representative present and not voting was: Turner (Shelby)--1.

Mr. Hudson moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 2018 by adding a new section which reads:

"SECTION \_\_\_\_\_. Notwithstanding any laws to the contrary, the provisions of this Act shall not apply to persons nineteen (19) years of age or older when accompanied by a parent(s) or legal guardian."

Mr. McKinney moved that the Amendment No. 5 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	55
Noes . . . . .	28

Representatives voting aye were: Anderson, Atchley, Bell, Brewer, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Dixon, Elsea, Ford, Frensley, Gill, Henry, Hillis, Huskey, Jared, Kelley, Kent, King (Shelby), Love, McAfee, McKinney, McNally, Miller, Montgomery, Murray, Nance, Percy, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Shirley, Smith, Stallings, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Whitson, Williams, Wix, Wolfe, Wood and Yelton--55.

Representatives voting no were: Bivens, Bragg, Chiles, Cobb, DeBerry, Drew, Ellis, Gafford, Gaia, Harrill, Hudson, Hurley, Jones, Kernell, King (Washington), Kisber, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Owen, Phillips, Scruggs, Severance, Sir, Tanner and Webb--28.

Mr. Jones moved to amend as follows:

AMENDMENT NO. 6

Amend House Bill No. 2018 by deleting the enactment clause in its entirety and substituting in lieu thereof the following:

"SECTION \_\_\_\_\_. This act shall take effect when the legal drinking age established by the legislature of each state which is contiguous to the State of Tennessee shall be twenty-one (21) years of age or older of when the Congress of the United States establishes a national legal drinking age of twenty-one (21) years of age or older, whichever shall first occur."

Mr. Clark (Davidson) moved that Amendment No. 6 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	58
Noes . . . . .	15
Present and not voting . . . . .	6

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Byrd, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Dills, Disspayne, Drew, Duer, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Henry, Hillis, Hurley, Huskey, Jared, Kelley, Kent, King (Washington), McAfee, Miller, Montgomery, Moore (Shelby), Murphy, Murray, Nance, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Whitson, Williams, Wolfe, Wood and Yelton--58.

Representatives voting no were: Bivens, Brewer, DeBerry, Gafford, Kernell, Kisber, McKinney, McNally, Moody, Moore (Sullivan), Naifeh, Pruitt, Tanner, Webb and Wheeler--15.

Representatives present and not voting were: Bragg, Ellis, Love, Owen, Robinson (Hamilton) and Work--6.

Mr. Rhinehart moved the previous question, which motion failed by the following vote:

Ayes . . . . .	30
Noes . . . . .	47
Present and not voting . . . . .	2

Representatives voting aye were: Bewley, Buck, Byrd, Crain, Davis (Gibson), Dills, Duer, Frensley, Gafford, Gill, Harrill, Henry, Hillis, Huskey, Jared, Kelley, McAfee, McNally, Phillips, Pickering, Rhinehart, Sir, Smith, Stallings, Turner (Shelby), Wallace, Webb, Wheeler, Whitson and Wix--30.

Representatives voting no were: Anderson, Atchley, Bell, Bivens, Bragg, Clark (Sumner), Davidson, DeBerry, Disspayne, Dixon, Drew, Ellis, Elsea, Gaia, Hudson, Hurley, Jones, Kent, Kernell, Kisber, Love, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Napier, Owen, Percy, Pruitt, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Tanner, Ussery, Williams, Wolfe, Wood, Work and Yelton--47.

Representatives present and not voting were: Brewer and Clark (Davidson)--2.

Mr. Clark (Sumner) moved to amend as follows:

AMENDMENT NO. 7

Amend House Bill No. 2018 by adding the following new section immediately preceding the final section and by renumbering the final section accordingly:

Any adult who purchases alcoholic beverages, beer or wine for the purpose of selling or giving it to a minor shall be guilty of a misdemeanor.

Mr. King (Washington) moved to amend Amendment No. 7 as follows:

AMENDMENT NO. 1 TO AMENDMENT NO. 7

Amend by adding to amendment No. 7 the following sentence: No person shall be convicted of this offense unless the state proves beyond a reasonable doubt than the adult acted with intent.

Amendment No. 1 to Amendment No. 7 was adopted by the following vote:

Ayes . . . . .	77
Noes . . . . .	3
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), Davis (Pickett), Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood and Yelton--77.

Representatives voting no were: DeBerry, Jones and Stallings--3.

Representative present and not voting was: Covington--1.

Thereupon, Amendment No. 7 was adopted by the following vote:

Ayes . . . . .	81
Noes . . . . .	0
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Gafford, Gill, Harrill, Henry, Hillis, Hudson,



Hurley, Jared, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Whitson, Williams, Wix, Wolfe, Wood and Yelton --81.

Representatives voting no were: Jones and Kernell--2.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 8

Amend House Bill No. 2018 by adding a new section before the effective date section of this act and renumbering accordingly:

"The parents of any child or children shall be responsible for all civil liability incurred by the child or children as a result of a violation of this Act."

Mr. Cobb moved that Amendment No. 8 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	51
Noes . . . . .	36

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Buck, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Crain, Davis (Gibson), Dills, Duer, Ellis, Elsea, Ford, Frensley, Gill, Harrill, Henry, Hurley, Huskey, Jared, Kent, King (Washington), McAfee, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Williams and Wood--51.

Representatives voting no were: Bivens, Bragg, Brewer, Byrd, Covington, Davidson, Davis (Pickett), DeBerry, Disspayne, Drew, Gafford, Hudson, Jones, Kelley, Kernell, King (Shelby), Kisber, Love, McKinney, McNally, Montgomery, Murray, Naifeh, Pickering, Pruitt, Robinson (Hamilton), Robinson (Washington), Tanner, Wallace, Webb, Wheeler, Whitson, Wix, Wolfe, Work and Yelton--36.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 9

Amend House Bill No. 2018 by substituting the figures 65 wherever the figure 21 appears in this Act.

Mr. Bragg moved the previous question on the amendment, which motion prevailed by the following vote:

Ayes . . . . .	56
Noes . . . . .	25
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Covington, Davis (Pickett), DeBerry, DePriest, Dills, Duer, Ellis, Gafford, Harrill, Henry, Hillis, Kelley, King (Shelby), Love, McKinney, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Owen, Percy, Pruitt, Robinson (Davidson), Scruggs, Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Work and Yelton--56.

Representatives voting no were: Clark (Sumner), Crain, Davidson, Davis (Gibson), Disspayne, Drew, Elsea, Frensley, Gaia, Gill, Hurley, Jared, Kent, King (Washington), Kisber, Montgomery, Murphy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Smith, Turner (Hamilton) and Wood--25.

Representative present and not voting was: Kernell--1.

Amendment No. 9 failed by the following vote:

Ayes . . . . .	35
Noes . . . . .	47
Present and not voting . . . . .	1

Representatives voting aye were: Atchley, Bivens, Bragg, Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Duer, Gafford, Harrill, Henry, Hudson, Kernell, King (Shelby), McKinney, McNally, Miller, Moody, Moore (Shelby), Moore (Sullivan), Naifeh, Nance, Napier, Pickering, Rhinehart, Scruggs, Severance, Shirley, Stallings, Starnes, Tanner, Webb, Wheeler and Wolfe--35.

Representatives voting no were: Bell, Bewley, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Drew, Ellis, Elsea, Frensley, Gaia, Gill, Hillis, Hurley, Jared, Kelley, Kent, King (Washington), Kisber, Love, McAfee, Montgomery, Murphy, Murray, Owen, Percy, Phillips, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Sir, Smith, Turner (Hamilton), Turner (Shelby), Wallace, Whitson, Williams, Wix, Wood and Yelton--47.

Representative present and not voting was: Ussery--1.

Mr. Tanner moved to amend as follows:

AMENDMENT NO. 10

Amend House Bill No. 2018 by adding the following new section immediately preceding the last section and renumbering subsequent section accordingly:

SECTION \_\_\_\_\_. Notwithstanding any provision of law to the contrary, no person under the age of twenty-one years (21) shall:

- (1) get married
- (2) drive a car
- (3) quit school
- (4) sign a contract
- (5) smoke tobacco
- (6) play pool
- or
- (7) get a tattoo.

Mr. King (Washington) moved that Amendment No. 10 be tabled, which motion prevailed by the following vote:

Ayes . . . . .	55
Noes . . . . .	24
Present and not voting . . . . .	1

Representatives voting aye were: Anderson, Atchley, Bell, Buck, Byrd, Chiles, Clark (Davidson), Cobb, Crain, Davis (Gibson), Davis (Pickett), Drew, Duer, Ellis, Elsea, Ford, Frensley, Gill, Henry, Hillis, Hurley, Jared, Kelley, Kent, King (Washington), Kisber, McAfee, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Owen, Phillips, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Wallace, Williams, Wix, Wolfe, Wood and Yelton--55.

Representatives voting no were: Bivens, Bragg, Brewer, Covington, Davidson, DeBerry, Disspayne, Gafford, Hudson, Huskey, Kernell, McKinney, McNally, Naifeh, Percy, Pickering, Pruitt, Rhinehart, Robertson, Tanner, Webb, Wheeler, Whitson and Work--24.

Representative present and not voting was: DePriest--1.

Mr. Robinson (Davidson) moved that House Bill No. 2018 be re-referred to the Committee on Calendar and Rules.

Mr. King (Washington) moved that the motion be tabled, which motion prevailed by the following vote:

Ayes . . . . .	59
Noes . . . . .	29

Representatives voting aye were: Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb,

Covington, Davidson, Davis, Gibson, DeBerry, DePriest, Disspayne, Dixon, Drew, Elsea, Frensley, Gafford, Gaia, Harrill, Jared, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Washington), Scruggs, Sir, Stallings, Starnes, Tanner, Wallace, Webb, Williams, Wix and Yelton--59.

Representatives voting no were: Anderson, Atchley, Crain, Davis (Pickett), Dills, Duer, Ford, Gill, Henry, Hillis, Hurley, Huskey, McAfee, McNally, Moody, Nance, Robinson (Davidson), Robinson (Hamilton), Severance, Shirley, Smith, Turner (Hamilton), Turner (Shelby), Ussery, Wheeler, Whitson, Wolfe, Wood and Work--29.

Mr. Ellis moved that House Bill No. 2018 be placed on the Calendar for Wednesday, May 16, 1984, which motion failed by the following vote:

Ayes . . . . .	32
Noes . . . . .	54
Present and not voting . . . . .	1

Representatives voting aye were: Atchley, Byrd, Clark (Davidson), Crain, Davis (Gibson), Davis (Pickett), DeBerry, Dills, Duer, Ellis, Ford, Hurley, Huskey, McAfee, McNally, Moody, Naifeh, Nance, Pruitt, Robinson (Davidson), Scruggs, Severance, Shirley, Smith, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Wheeler, Whitson, Wolfe and Wood--32.

Representatives voting no were: Anderson, Bell, Bewley, Bivens, Bragg, Buck, Chiles, Clark (Sumner), Cobb, Covington, Davidson, DePriest, Disspayne, Dixon, Drew, Elsea, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Jared, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robinson (Washington), Sir, Stallings, Ussery, Wallace, Webb, Williams, Wix and Yelton--54.

Representative present and not voting was: Robinson (Hamilton) --1.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes . . . . .	63
Noes . . . . .	21
Present and not voting . . . . .	2

Representatives voting aye were: Anderson, Bell, Bewley, Bivens, Buck, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Dixon, Drew, Ellis, Elsea, Frensley, Gafford, Gaia, Gill, Hillis, Hudson,

Huskey, Jared, Kelley, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Sir, Stallings, Starnes, Tanner, Turner (Hamilton), Wallace, Webb, Wheeler, Wix, Work, Yelton--63.

Representatives voting no were: Atchley, Byrd, DeBerry, Disspayne, Duer, Ford, Harrill, Henry, Hurley, Kent, McNally, Moody, Robertson, Robinson (Davidson), Scruggs, Smith, Turner (Shelby), Whitson, Williams, Wolfe and Wood--21.

Representatives present and not voting were: Brewer and Kernell--2.

Thereupon, House Bill No. 2018, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	79
Noes . . . . .	6
Present and not voting . . . . .	4

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DePriest, Dills, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hurley, Huskey, Jared, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, Miller, Montgomery, Moody, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pruitt, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--79.

Representatives voting no were: Disspayne, Hudson, McNally, Moore (Sullivan), Robinson (Davidson) and Tanner--6.

Representatives present and not voting were: Brewer, DeBerry, Dixon and Kernell--4.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

CONSENT CALENDAR

Senate Joint Resolution No. 221--Relative to memory, Dr. H. C. Evans, Jr.

House Joint Resolution No. 495--Relative to honoring Coach "Dee" Harris.

House Joint Resolution No. 498--Relative to commending Merrill Hill.

House Joint Resolution No. 499--Relative to honoring Mrs. Mary Sue Persons.

House Joint Resolution No. 500--Relative to death of Mrs. Sarah Hurt Rummage Baker.

House Joint Resolution No. 501--Relative to honoring Nancy Boone and the Campus School Choir.

House Resolution No. 133--Relative to commending John Linton Hall.

House Bill No. 2276--To amend Technology Corridor Development Authority Act.

House Bill No. 1739--To amend Charter, Bristol.

Mr. Gill moved that all House Bills on the Consent Calendar be passed on third and final consideration, all House Resolution and House Joint Resolutions on the Consent Calendar be adopted, and Senate Joint Resolution on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes . . . . .	93
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter --93.

A motion to reconsider was tabled.

BILL RECALLED

On motion of Mr. Miller, Senate Bill No. 1362 was recalled from the Senate for further consideration.

House Bill No. 1605--To make certain provisions, aid to dependent children.

Mr. Cobb moved that House Bill No. 1605 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 1**

Amend House Bill No. 1605 by deleting the words "where available" from the third line of subsection (2) of Section 1.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

**AMENDMENT NO. 2**

Amend House Bill No. 1605 by deleting the sentence which reads: "The standard of need each year shall accurately reflect the costs provided in Section 1 less the deductions provided in Section 2." from subsection (3) of Section 1.

AND FURTHER AMEND by deleting the existing language in subsection (4), of Section 1, in its entirety and by substituting instead the following:

(4) The standard of need for fiscal year 1984-85 shall initially be adjusted on July 1, 1984, from two hundred seventeen dollars (\$217) per month to three hundred dollars (\$300) a month for a family of four (4) with a corresponding increase in the standard for families of other sizes. In addition, effective July 1, 1984, there shall be an increase of seven percent (7%) in the AFDC payment level, thus increasing the maximum payment for a family of four (4) with no other countable income from one hundred fifty-four dollars (\$154) per month to one hundred sixty-five dollars (\$165) per month and increasing the maximum payments to families of other sizes in a corresponding amount with no maximum limit based on family size.

AND FURTHER AMEND by adding a new subsection (5) to Section 1 to read as follows:

(5) In January, 1985, the commissioners of human services and health and environment shall report to the governor and the general assembly the total additional number of persons and cases made eligible for AFDC and/or medicaid resulting from the change in the standard of need and payment level. If the increase in the number of eligible persons when projected over the entire fiscal year by the executive director of the fiscal review committee will not exceed fifteen thousand six hundred persons (15,600), there shall be an additional adjustment in the standard of need, effective March 1, 1985, to the amount required to reflect the actual standard of need computed in accordance with subsections (1) and (2) of Section 1 on March 1, 1985. If the

number of eligible persons as stated above will exceed such level, the standard of need may be raised to a level as determined by the commissioner of human services in accordance with available appropriations.

AND FURTHER AMEND by adding the following new subsection (6) to Section 1:

(6) The standard of need and payment standard may be changed thereafter as provided in the annual appropriations act.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1605, as amended, passed its third and final consideration by the following vote:

Ayes . . . . .	91
Noes . . . . .	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moody, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Shirley, Sir, Smith, Stallings, Starnes, Tanner, Turner (Hamilton), Turner (Shelby), Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--91.

A motion to reconsider was tabled.

Mr. Naifeh moved that balance of today's Calendar be placed on the Calendar for Wednesday, May 16, 1984, which motion prevailed.

INTRODUCTION OF RESOLUTIONS

House Joint Resolution no. 507--Relative to honoring Smyrna Elementary West School--By Bragg.

Under the rules, House Joint Resolution No. 507 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 508--Relative to memory, Reverend Milard Filmore Strunk--By McNally.

Under the rules, House Joint Resolution No. 508 was referred to the Committee on Calendar and Rules.



House Joint Resolution No. 509--Relative to memory, Roscoe Dixon Sr.--By Jones, Brewer, Love, Robinson (Hamilton), Webb, Dill, Kent, McNally, Byrd, Turner (Shelby), Gaia, DeBerry, Moore (Shelby), Nance, and Shirley.

Under the rules, House Joint Resolution No. 509 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 510--Relative to honoring the Bartlett High School Chamber Singers--By Byrd.

Under the rules, House Joint Resolution No. 510 was referred to the Committee on Calendar and Rules.

House Joint Resolution No. 511--Relative to commending Bobbie Bates Crowder--By Harrill.

Under the rules, House Joint Resolution No. 511 was referred to the Committee on Calendar and Rules.

### **INTRODUCTION OF BILLS**

House Bill No. 2288--To regulate School Board, Monroe County--By Harrill.

Passed first consideration.

House Bill No. 2289--To amend Charter, Clarksville--By Ussery and Pickering.

Passed first consideration.

House Bill No. 2290--To make certain provisions, county government--By Gill.

Passed first consideration.

### **SENATE BILLS ON FIRST CONSIDERATION**

Senate Bill No. 1329--To regulate group insurance plan, certain retired college employees.

Passed first consideration.

Senate Bill No. 1457--To create offense, aggravated child abuse.

Passed first consideration.

Senate Bill No. 1682--To enact Regional Environmental Authority Act.

Passed first consideration.

Senate Bill No. 2034--To terminate Medical Advisory Committee for Radiological Health.

Passed first consideration.

Senate Bill No. 2140--To define certain racketeering activities.

Passed first consideration.

**HOUSE BILLS ON SECOND CONSIDERATION**

Hous Bill No. 2281--To regulate election of Alderman, Petersburg.

Passed second consideration and held without reference.

House Bill No. 2282--To levy tax on lodgings, Monteaagle.

Passed second consideration and held without reference.

House Bill No. 2284--To prohibit non-residents from disposing of trash in Greene County.

Passed second consideration and held without reference.

House Bill No. 2285--To regulate registration of warrants, certain counties.

Passed second consideration and held without reference.

House Bill No. 2286--To make provisions, solid waste disposal, Crockett County.

Passed second consideration and held without reference.

House Bill No. 2287--To regulate election, assessor of property.

Passed second consideration and referred to Committee on State and Local Government.

**REPORT OF DELAYED BILLS COMMITTEE**

The undersigned members of the Delayed Bills Committee have approved the following bill: House Bill No. 2290.

Ned R. McWherter

James R. McKinney

James M. Henry

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

1525--To regulate inheritance tax.

The Senate nonconcurred in House Amendments Nos. 1 and 2.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

1704--To regulate Board of Licensing Contractors.

The Senate nonconcurred in House Amendment No. 1.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill No.:

2132--To regulate enforcement provisions, motor vehicle privilege taxes.

The Senate nonconcurred in House Amendment No. 1.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolution No.:

506--Relative to congratulating John A. and Dolores Grisanti; concurred in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bill

**No.:**

**1586--To exempt certain sales from sales and use tax.**

The Senate lifted the tabling motion; reconsidered passage of the bill; reconsidered adoption of S. A. No. 3, withdrew S. A. No. 3, then repassed the bill on third and final consideration.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill  
**No.:**

**1705--To regulate Metropolitan Airport Authorities; passed by the  
Senate.**

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, Senate Bill  
**No.:**

**1273--To regulate Elk River Development Agency.**

The Senate nonconcurred in House Amendments Nos. 1 and 2.

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill  
**No. 2222; for the signature of the Speaker.**

**CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.**

**SIGNED**

The Speaker announced that he had signed the following: Senate  
Bill No. 2222.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint  
Resolution No.:

**513--Relative to memory, Representative W. C. Herndon, Jr.;**

concurring in by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to request the return of Senate Bill No. 561, for further consideration.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

On motion of Mr. Murphy, Senate Bill No. 561 was returned to the Senate as requested.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to request the return of House Bill No. 1810, for further consideration.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

On motion of Mr. Webb, House Bill No. 1810 was returned to the Senate as requested.

**SPONSORS ADDED**

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 1605--Love

House Bill No. 2060--Miller

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No. 2195--To amend Retailers' Sales Tax Act; passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to transmit to the House, Senate Bill No.:

2221--To regulate purchase red fox hides, certain counties;

passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos. 438, 439, 440, 441, 442, 445, 446, 447, 448, 449, 450, 451, 452, 455, 456, 457, 458, 459, 464, 468, 470 and 474; also, House Bills Nos. 171, 1238, 1388, 1404, 1584, 1700, 1806, 1809, 1811, 1828, 1836, 1838, 1962, 1974, 2246, 2267 and 2269; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Joint Resolutions Nos. 263, 272, 461, 462 and 463; also, House Bills Nos. 133, 148, 377, 905, 1532, 1621, 1633, 1830, 1894, 1940, 2039 and 2184; all signed by the Speaker.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**MESSAGE FROM THE SENATE**

**MR. SPEAKER:** I am directed to return to the House, House Bills Nos.:

1845--To amend Air Quality Act;

1861--To authorize removal, property encroaching on highway right-of-way;

1979--To enact Water Environmental Health Act;

2076--To amend Section 36-820, Code;

2157--To regulate contracts by governmental entities; all substituted for Senate Bills on same subject and passed by the Senate.

**CLYDE W. McCULLOUGH, JR.,**  
Chief Clerk.

**ENROLLED BILLS**

**MR. SPEAKER:**

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 513; and find same

correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**SIGNED**

The Speaker announced that he had signed the following: House Joint Resolution No. 513.

**MESSAGE FROM THE SENATE**

MR. SPEAKER: I am directed to return to the House, House Joint Resolution No. 513; signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,  
Chief Clerk.

**REPORT OF CHIEF ENGROSSING CLERK**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have transmitted to the Governor the following: House Joint Resolution No. 513; for his action.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

MR. SPEAKER:

I am directed by the Governor to return herewith: House Joint Resolution No. 513 with his approval.

WILLIAM C. KOCH, JR.,  
Counsel to the Governor.

**ENGROSSED BILLS**

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bills Nos. 1739 and 2276; and House Joint Resolutions Nos. 495, 498, 499, 500 and 501; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,  
Chief Engrossing Clerk.

**LOCAL BILLS REFERRED TO CALENDAR AND RULES**

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 2281, 2284, 2285 and 2286.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

**CONSENT CALENDAR**

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, May 10, 1984: House Bills Nos. 2154, 1764, 2258; House Joint Resolutions Nos. 265, 271, 507, 508, 509, 510, 511 and House Bills Nos. 2281, 2284, 2285 and 2286.

GILL, Chairman.

**REPORT OF COMMITTEE ON CALENDAR AND RULES**

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, May 10, 1984: House Bills Nos. 1568, 1118, 1567, 2153, 1603, 1868, 2146, 2210, 1440, 1441, 2081, 1643, 1519, 1698, 2108 and 2144.

GILL, Chairman.

On motion of Mr. Naifeh, the House adjourned until 10:00 a.m. tomorrow.